

GLENN RIPPLEY,  
Plaintiff,  
vs.  
TEAMSTERS LOCAL 525,  
and TEAMSTERS LOCAL 50,  
Defendants.

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Case No. 10-cv-0988-MJR-PMF

memoranda opposing the two motions) “no later than April 11, 2011” (Doc. 11). The Order permitted Local 50 to file a short reply brief on or before April 28, 2011.

Rippley timely filed two memoranda opposing Local 50’s motions on March 21, 2011 (Docs. 14 & 15).<sup>1</sup> Local 50 timely replied on April 28, 2011 (Docs. 18 and 19). So the motions for summary judgment and judgment on the pleadings were fully briefed as of April 28<sup>th</sup>. But on May 3, 2011, Plaintiff Rippley filed an additional memorandum. The May 3<sup>rd</sup> memorandum (like the March 21<sup>st</sup> briefs filed by Rippley) opposes Local 50’s motions directed to the race discrimination and retaliation claims.

Local 50 now moves to strike Rippley’s May 3<sup>rd</sup> memorandum, because that brief was not permitted by the Court’s May 9<sup>th</sup> Order (i.e., it was filed beyond the April 11<sup>th</sup> response deadline and constitutes an additional/third brief not authorized by the Court).

The Court agrees. The undersigned Judge afforded the parties ample briefing opportunities with a generous schedule. Plaintiff filed two briefs opposing Local 50’s motions on March 21<sup>st</sup>, and Local 50 replied to those (with the Court’s express permission) on April 28<sup>th</sup>. Local Rule 7.1(c) of this Court plainly forbids the filing of *sur-reply* briefs, which is what Plaintiff’s May 3<sup>rd</sup> brief is – a reply to a reply: “Under no circumstances will sur-reply briefs be accepted.”

Accordingly, the Court **GRANTS** Local 50’s motion (Doc. 21) and **STRIKES** Plaintiff’s May 3, 2011 sur-reply brief (Doc. 20).

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<sup>1</sup> Rippley also filed a “Motion to Dismiss Counterclaim of Defendant’s Answer” (Doc. 16) on March 22, 2011. Local 525 responded on April 25, 2011 (Doc. 17), but that motion is not directly related to the issues discussed in this Order.

IT IS SO ORDERED.

DATED May 6, 2011.

s/ Michael J. Reagan  
Michael J. Reagan  
United States District Judge